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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

PHYLLIS J. KING,

Plaintiff,

v.

FEDERAL BUREAU OF
 INVESTIGATION,

Defendant.

C 08-1919 PJH

**[PROPOSED] ORDER GRANTING
 DEFENDANT’S MOTION TO DISMISS**

This matter having come before the Court on June 14, and good cause appearing, it is hereby ordered that plaintiff’s claim against the Federal Bureau of Investigation (“FBI”) is dismissed without prejudice for lack of subject matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(1). Specifically, plaintiff has failed to file an administrative tort claim as required by the Federal Tort Claims Act. *See* 28 U.S.C. § 2675(a).

IT IS SO ORDERED.

DATED: June __, 2008

PHYLLIS J. HAMILTON
 United States Magistrate Judge